

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EUGENE G. DEWS

CIVIL ACTION

v.

CYNTHIA LINK, Ex-Superintendent,
SCI-Graterford, MS. DJANAH
MCCOLLOUGH, Correctional Officer,
SCI-Graterford, SERGEANT PEDRO
MIRABEL, Correctional Officer, SCI-
Graterford, MR. JOSEPH C.
KORSZNIAK (CHCA) In His Individual
Capacity and His Official Capacity As
Corrections Health Care Administrator
Of SCI-GRATERFORD, PENNSYLVANIA
DEPARTMENT OF CORRECTIONS,
BRITTANY HUNER, In Her Individual
Capacity and Her Official Capacity As
Corrections Health Care Administrator
Of SCI Phoenix and KEVIN PURIFOY,
In His Individual Capacity

NO. 18-4285

ORDER

NOW, this 2nd day of June, 2021, upon consideration of the Motion of Defendants Cynthia Link, Brittany Huner, and Pennsylvania Department of Corrections to Partially Dismiss First Amended Complaint (Doc. No. 47) and the Motion of Defendant Joseph C. Korzniak to Partially Dismiss First Amended Complaint (Doc. No. 50), and the plaintiff's responses, it is **ORDERED** that the motions are **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED:

1. Counts VII and VIII against defendants Cynthia Link and Joseph C. Korszniak are **DISMISSED**.
2. Counts VII and VIII against defendant Brittany Huner in her individual capacity are **DISMISSED**.

3. Counts VII and VIII against defendant Brittany Huner in her official capacity are **DISMISSED** to the extent plaintiff seeks monetary damages.

4. To the extent the motion seeks to dismiss Counts VII and VIII against defendant Brittany Huner in her official capacity for prospective relief, it is **DENIED**.

5. To the extent the motion seeks to dismiss Count IX against the Pennsylvania Department of Corrections, it is **DENIED**.

/s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.